

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING TRUSTEE'S THIRTY-FIFTH OMNIBUS MOTION
TO AFFIRM THE TRUSTEE'S CLAIMS DETERMINATIONS AND
OVERRULE OBJECTIONS THAT APPEAR TO RAISE FACTUAL ISSUES**

Upon consideration of the motion (the “Motion”) [Docket No. __], by Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), in the above-captioned SIPA¹ liquidation proceeding seeking to have the Court affirm his claims determinations and overrule the related objections that appear to raise customer-specific factual issues (the “Objections”); and the net winner Claims to be disallowed and Objections to be overruled are identified in Exhibit A to the Declaration of Vineet Sehgal in Support of the Motion (the “Sehgal Declaration”), [Docket No. __]; and the net loser Claims determinations to be affirmed and Objections to be overruled are identified in Exhibit B to the

¹ All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

Sehgal Declaration; and due and proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion as set forth herein is in the best interests of the Debtor, its estate, creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is granted to the extent provided herein; and it is further

ORDERED that the Claims listed on Exhibit A hereto are disallowed; and it is further

ORDERED that the Trustee's Claims determinations regarding the Claims listed on Exhibits A and B hereto are affirmed; and it is further

ORDERED that the Objections listed on Exhibits A and B hereto are overruled; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: _____, 2020
New York, New York

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

IN RE: BLMIS. CASE NO: 08-01789 (SMB)

EXHIBIT A – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Marilyn Cohn Gross	007054	718	Milberg LLP	Marilyn Cohn Gross	1ZA409
Marshall Warren Krause	000068	827, 911	Pro Se Filing	Marshall Warren Krause	1ZA159
NTC & Co. FBO Dale Ellen Leff	012941	862	Schulte Roth & Zabel LLP	Millennium Trust Company, LLC FBO Dale Ellen Leff (07372)	1L0082
NTC & Co. FBO Marshall Warren Krause (944531)	000082	827, 1071	Pro Se Filing	Millennium Trust Company, LLC FBO Marshall Warren Krause	1ZR256
Pearson Family Partnership C/O Lynn Weiner	000015	1786	Ellen H. Kanner, Esq	Pearson Family Partnership	1ZB447

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EXHIBIT B – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
NTC & Co. FBO Jeffrey Shankman (111772)	002908	1028	Phillips Nizer LLP	NTC & Co. FBO Jeffrey Shankman (111772)	1S0277
Ronald Lazarus & Linda Lazarus JT/WROS	008590, 100194	1174	Phillips Nizer LLP	Ronald Lazarus & Linda Lazarus JT/WROS	1ZB519